

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

**IN RE APPLICATION FOR AN ORDER
PURSUANT TO 28 U.S.C. §1782 TO
OBTAIN DISCOVERY FOR USE IN
FOREIGN PROCEEDINGS.**

Case No. 4:23-MC-00096

The Honorable Amos L. Mazzant III

**NON-PARTIES SAMSUNG ELECTRONICS CO., LTD. AND
SAMSUNG ELECTRONICS AMERICA, INC.’S
PARTIALLY-OPPOSED MOTION TO STAY CONSIDERATION OF
SAMSUNG’S MOTION FOR PROTECTIVE ORDER (DKT. 21)**

Non-parties Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, “Samsung”) respectfully file this Partially-Opposed Motion to Stay Consideration of Samsung’s Motion for Protective Order, and in support thereof show as follows.

1. On September 28, 2023, Samsung filed a Motion for Protective Order in this matter. Dkt. 21. Respondents Longhorn IP LLC and Ox Mobile Technologies LLC (collectively, “Ox Mobile”) have filed an Opposition to Samsung’s Motion for Protective Order. Dkt. 25. Samsung and Ox Mobile have filed a reply and surreply, respectively, in support of their positions. Dkt. 32 & 37.

2. Petitioners Xiaomi Technology Germany GmbH and Xiaomi Technology Netherlands B.V. (collectively, “Xiaomi”) have filed a Notice of Joinder stating that Xiaomi joins and adopts Ox Mobile’s Opposition to Samsung’s Motion for Protective Order. Dkt. 27.

3. Samsung notifies the Court that Samsung and Ox Mobile have reached an agreement in principle which may resolve and render moot Samsung’s pending Motion for Protective Order as to Ox Mobile. To aid Samsung and Ox Mobile’s efforts to resolve Samsung’s Motion for Protective Order without the need for Court intervention, Samsung requests that the

Court stay the Court's consideration of Samsung's Motion for a Protective Order for a period of thirty (30) days. This stay is not being sought for delay but so that justice may be done.

4. Counsel for Samsung has met and conferred with counsel for Ox Mobile and counsel for Xiaomi. Counsel for Ox Mobile has stated that Ox Mobile does not oppose this motion; counsel for Xiaomi has stated that Xiaomi opposes this motion. Therefore, this Motion to Stay is partially opposed.

Dated: November 21, 2023

Respectfully submitted,

/s/ Melissa R. Smith

Melissa R. Smith
Texas Bar No. 24001351
GILLAM & SMITH, LLP
303 South Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257
Email: melissa@gillamsmithlaw.com

Andrew T. Gorham
Texas Bar No. 24012715
GILLAM & SMITH, LLP
102 North College Avenue, Suite 800
Tyler, Texas 75702
Telephone: (903) 934-8450
Facsimile: (903) 934-9257
Email: tom@gillamsmithlaw.com

R. Paul Zeineddin (*Pro Hac Vice Pending*)
BLANK ROME LLP
1825 Eye Street NW
Washington, D.C. 20006
Telephone: (202) 420-2200
Facsimile: (202) 420-2201
Email: paul.zeineddin@blankrome.com

*Counsel for Non-Parties Samsung
Electronics Co., Ltd. and Samsung
Electronics America, Inc.*

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for Samsung met and conferred with counsel for Ox Mobile and with counsel for Xiaomi to discuss the substantive issues addressed in this Motion pursuant to Local Rule CV-7(h). Counsel for Ox Mobile indicated that Ox Mobile does not oppose Samsung's Motion to Stay. Counsel for Xiaomi indicated that Xiaomi opposes Samsung's Motion to Stay. Therefore, this Motion to Stay is partially opposed.

/s/ Melissa R. Smith _____
Melissa R. Smith

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system on November 21, 2023.

/s/ Melissa R. Smith _____
Melissa R. Smith